

1 MINUTES
2 Town of Easton Council Workshop
3 August 9, 2010 – 6:00 PM
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6 **6:00 PM PRESENT AT CONVENING**

7 Mayor Robert C. Willey, Council President John F. Ford, Councilmember Kelley K. Malone,
8 Councilmember Pete Leshner, and Councilmember Leonard E. Wendowski
9

10 **IN ATTENDANCE**

11 Also in attendance were the Town Attorney Ms. VanEmburch, Mr. Tom Hamilton, Mr. Lynn
12 Thomas, Mr. Zach Smith from the Planning & Zoning Department, Mr. Don Richardson from
13 the Building Inspection Department, Mr. Hugh Grunden from Easton Utilities, and Mrs. Jackie
14 Knopp for the Town Clerk.
15

16 **CONVENING**

17 At 6:00 p.m., President Ford called the workshop to order.
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19 Discussion occurred regarding the proposed marketplace building definitions for temporary
20 structures.
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22 Mr. Thomas stated the Planning & Zoning Department added 3 changes to 1) add a definition,
23 2) determine where we want to allow the buildings, (CR Zone and special exceptions), and 3)
24 added some supplemental standards.
25

26 There was discussion on the uses of the buildings. Mr. Richardson read the definition for the
27 Building Code.
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29 There was discussion about eave height and that it is used throughout the Building Code. There
30 was discussion as to where the control of eave height should fit in as a definition.
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32 Discussion occurred regarding matching definitions between the Building Code and the
33 Planning & Zoning Department. Also the eave height statement can be moved to chapter 13 of
34 the Building Code.
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37 **Mr. Don Richardson presented 2 draft documents.**
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39 **I. The Draft Ordinance – Temporary Structures and Accessory Structures**
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- 41 a. Section 1 provides a definition for “Marketplace Building” and establishes limits
42 (periods, hours and types) based on the provisions of the building code to which
43 Marketplace Buildings meet.
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46 Mr. Richardson stated the draft ordinance definition establishes limits (i.e. time of
47 day, periods of year and provision of the code to allow the buildings to exist). The
48 buildings are required to be anchored down. The small square footage and low eave
49 height enables the buildings not to have footings and foundation.
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51 Mr. Richardson stated that the size restrictions allow the buildings we have to exist.
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53 There was discussion on the seasonal and hours limitations. Mr. Richardson stated
54 that these buildings would be habitable between April 1st and Sept 30th and only by
55 employees for protection of the elements and point of sale transactions only.
56

57 There was discussion regarding heat, lighting and water supply and drainage.
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- 59 b. Section 2 provides code space for definition of Residential Accessory Structures
60 in the Town Code.
61

- 62 c. Section 3 provides a definition of Residential Accessory Structures.

d. Section 4 clarification of building permit requirements for Residential Accessory Structures.

Don stated that section 3 & 4 are a correction of the language for the residential structures.

e. Section 5 provides code space for amending the provisions for Temporary Structures and Uses in the Town Code.

Mr. Richardson stated that sheds less than 220 square feet would have to be anchored down.

f. Section 6 amends the provisions for Temporary Structures and Uses, allowing Marketplace Buildings, Mobile Offices, Storage Trailers, Storage Buildings and Use of Existing; Buildings and Dwellings.

Mr. Richardson stated that these buildings are considered temporary structures and given 820 days. There is an exception built in so that it can be extended another 360 days. We are creating something to allow structures that no one else has ever allowed before.

Mr. Ford would like to change this to 3 years and 1 day.

g. Section 7 amends the provision of Frost Protection to allow Marketplace Building to be anchored by anchoring devices.

Mr. Richardson stated section 7 eliminates the need to have continuous footings at least 12” deep. This allows these buildings to be anchored with screw anchors.

h. Section 8 upon approval sets the effective date.

II. The Draft Resolution – Schedule of Fees

Mr. Richardson proposed to charge 50% of the building permit fees, the largest being \$35.00.

He also stated the Temporary Structure Use & Occupancy Certificate would be \$50.00 and the renewal fee would be \$25.00.

Mr. Hamilton stated that the zoning changes will be referred to the Planning Commission.

Mr. Ford stated there would be a Public Hearing.

Town Attorney Ms. VanEmburch stated these changes need to be enacted by Ordinance.

III. Charter and Code Changes:

Town Attorney Ms. VanEmburch discussed possible changes to the Charter and Code.

There was discussion of the Charter language regarding scheduling of Council Meetings.

The criteria for Special Elections was discussed. Ms. Malone would like to see appointments for one year or less, otherwise have an election.

The section regarding the power to appoint and discharge town officers was discussed. It was proposed to delete this section.

Town Attorney Ms. VanEmburch discussed Sec. 9 – “No ordinance may be passed at the meeting at which it is introduced.”

The Council agreed to cut 2 weeks off this process enabling them to pass an ordinance the same night as its introduction, provided that a public hearing had been held on the matter.

Town Attorney Ms. VanEmburch stated Article 23a needs to be updated.

There was discussion regarding the Annual Report from the Mayor’s Office. Town Attorney Ms. VanEmburch will put some language together regarding the Annual Report.

President Ford asked about the difference between the Charter & the Code.

Town Attorney Ms. VanEmburch stated that the Charter incorporates the Town and is a little harder to change than the Code and is fundamental from which everything else flows. The Code provides for the Ordinances and infractions. The Code is less formal.

Mr. Hugh Grunden from Easton Utilities added that the Charter can be likened to the Constitution of the United States. It is broad. It sets a frame work. It should not be ambiguous, but it is elastic and should not be easily changed on frequent intervals.

The next item Ms. Van Emburch talked about was Appointments. The Charter requires 20 days advanced notice. All Council Members agreed to delete the 20 day requirement.

Mr. Hugh Grunden from Easton Utilities discussed specific language for Wireless Communication Systems for EUC versus broader language. Shared services were also discussed.

Regarding Article IV Sec. 29(e) Town Attorney Ms. VanEmburch stated the number (\$5,000.00) is from the 1930’s and needs to change. Discussion occurred as to what amount if any should be used or the possibility of using debt to equity ratio. Everyone was in agreement that anything that puts the Town in jeopardy needs to go before the Council.

Town Attorney Ms. VanEmburch discussed the Easton Utilities regulated bidding number is a rollover from 30’s and 50’s requires competitive bids for over \$2000.00. It was decided that more discussion was needed for this section.

Mr. Hugh Grunden from Easton Utilities talked about the Energy Risk Management Policy. He stated EUC buys energy forward 36 months out and uses financial instruments as well as fiscal contracts. Specific language is needed to participate in these markets to include types of risks and limits.

Mayor Willey talked about the storm sewer curbs and having them painted with “Outlet to the Chesapeake Bay”.

The workshop ended at 8:10 p.m.

Jackie Knopp for Kathy M. Ruf, Town Clerk

